
HOUSE BILL 2558

State of Washington

60th Legislature

2008 Regular Session

By Representatives Upthegrove, Clibborn, O'Brien, Kenney, and Rolfes;
by request of Department of Ecology

Prefiled 01/08/08. Read first time 01/14/08. Referred to Committee
on Ecology & Parks.

1 AN ACT Relating to exempting certain minor new construction
2 associated with construction storm water general permits from the state
3 environmental policy act; amending RCW 43.21C.0383; and creating a new
4 section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature intends that the revised
7 threshold adopted in 2005 for the department of ecology's construction
8 storm water general permit should not increase the scope of projects
9 subject to state environmental policy act review. The department of
10 ecology should pursue rule making to achieve the intent of this act.

11 **Sec. 2.** RCW 43.21C.0383 and 1996 c 322 s 1 are each amended to
12 read as follows:

13 The following waste discharge permit actions are not subject to the
14 requirements of RCW 43.21C.030(2)(c):

15 (1) For existing discharges, the issuance, reissuance, or
16 modification of a waste discharge permit that contains conditions no
17 less stringent than federal effluent limitations and state rules (~~is~~

1 ~~not subject to the requirements of RCW 43.21C.030(2)(c). This~~
2 ~~exemption applies to existing discharges only and does not apply to new~~
3 ~~source discharges));~~

4 (2) The issuance of a construction storm water general permit under
5 chapter 90.48 RCW for a proposal disturbing less than five acres. The
6 exemption in this subsection does not apply if, under rules adopted by
7 the department of ecology, the proposal would otherwise be subject to
8 the requirements of RCW 43.21C.030(2)(c).

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